



EXPRESS MAIL NO. EV452773267US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines et al.	Confirmation No.:	5123
Serial No.:	09/717,053	Art Unit:	1647
Filed:	November 21, 2000	Examiner:	DeBerry, Regina M.
For:	METHODS FOR PREVENTING OR TREATING NEUROMUSCULAR OR MUSCULAR CONDITIONS BY PERIPHERALLY ADMINISTERED ERYTHROPOIETIN	Attorney Docket No:	10165-011-999

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references FL-FM listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicants." Copies of references FL-FM are submitted herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

09/15/2004 MMEKONEN 00000082 503013 09717053

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NYJD: 1539186.1

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed after the mailing date of a first Office Action on the merits, but before the mailing of a final Office Action or Notice of Allowance, pursuant to 37 C.F.R. § 1.97(c), a fee of \$180.00 under 37 C.F.R. § 1.17(p) is believed due. Please charge the required fee to Jones Day deposit account no. 50-3013. A duplicate of this sheet is enclosed.

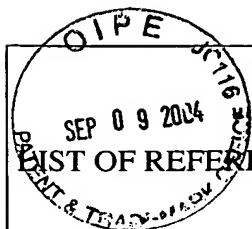
Respectfully submitted,

Date: September 9, 2004

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LIST OF REFERENCES CITED BY APPLICANT
 (Use several sheets if necessary)

ATTY DOCKET NO.

10165-011-999

APPLICATION NO

09/717,053

APPLICANT

Brines et al.

FILING DATE

November 21, 2000

GROUP

1647

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

FL	Spivak and Hogans, 1989, "The in vivo metabolism of recombinant human erythropoietin in the rat", Blood <u>73</u> :90-99
FM	Wojchowski and Caslake, 1989, "Biotinylated recombinant human erythropoietins: bioactivity and utility as receptor ligand", Blood <u>74</u> :952-958

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.